|  | C                                    | ase 4:07-cv-02684-CW Document 67  | Filed 07/10/2008 Page 1 of 2   |
|--|--------------------------------------|---|--|
| PILLSBURY & LEVINSON, LLP<br>The Transamerica Pyramid<br>600 Montgomery Street, 31st Floor - San Francisco, CA 94111 | 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8 | Philip L. Pillsbury, Jr. (SBN 72261) Vedica Puri (SBN 176252) Eric K. Larson (SBN 142791) PILLSBURY & LEVINSON, LLP The Transamerica Pyramid 600 Montgomery Street, 31st Floor San Francisco, CA 94111 Telephone: (415) 433-8000 Facsimile: (415) 433-4816 E-mail: ppillsbury@pillsburylevinson.com |  |
|  | 10                                   | UNITED STATES DISTRICT COURT  |  |
|  | 11                                   | NORTHERN DISTRICT OF CALIFORNIA   |  |
|  | 12                                   | OAKLAND DIVISION  |  |
|  | 13                                   | COPART INC.,  | ) Case No. C 07 2684 CW-EDL  |
|  | 14                                   | Plaintiff,  | )<br>) <u>E-FILING</u>   |
|  | 15<br>16<br>17                       | vs.  CRUM & FORSTER INDEMNITY  COMPANY, UNITED STATES FIRE  | DECLARATION OF ERIC K. LARSON IN SUPPORT OF PLAINTIFF COPART, INC.'S MOTION FOR SUMMARY JUDGMENT |
|  | 18<br>19                             | INSURANCE COMPANY, and DOES 1-10, Inclusive,  Defendants.   |  |
|  | 20<br>21                             | AND RELATED COUNTERCLAIM  | ) Date: August 21, 2008<br>} Time: 2:00 p.m.   |
|  | 22                                   |   | Place: Courtroom 2, 14 <sup>th</sup> Floor Before the Hon. Claudia Wilken                        |
|  | 23                                   |   | ) Action Filed: March 20, 2007<br>) Trial Date: November 10, 2008                                |
|  | 24                                   |   |  |
|  | 25                                   | I, Eric K. Larson, declare as follows:  |  |
|  | 26                                   | 1. I am an attorney at law duly admitted to practice before this Court and am an  |  |
|  | 27                                   | associate at Pillsbury & Levinson, LLP, attorneys of record herein for plaintiff Copart, Inc.   |  |
|  | 28                                   | I have personal knowledge of the facts set forth herein and could competently testify thereto.  |  |
|  |                                      | DECLARATION OF ERIC K. LARSON IN SUPPORT OF COPART'S MOTION FOR SUMMARY JUDGMENT—V  |  |
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- 2. Counsel for Copart and USFIC stipulated to the authenticity of documents produced from parties' files, subject to a party disputing such authenticity. See Deposition Testimony of Simon Rote 30:15-31:17 (Larson Decl., Vol. II, Ex. G). There is no dispute over the authenticity of the subject 2005-2006 policy or the August 8, 2005 Statement of Values.
- Attached hereto as Exhibit A is a true and correct copy of the entire 2005-2006 3. insurance policy issued by USFIC to Copart that is the subject of this action.
- 4. Attached hereto as **Exhibit B** is a true and correct copy of a portion of the "Building and Personal Property Coverage Form" that is part of the 2005-2006 property insurance policy issued by USFIC to Copart.
- 5. Attached hereto as **Exhibit C** is a true and correct copy of the "Commercial" Property Coverage Part Supplemental Declarations" form that is part of the 2005-2006 insurance policy issued by USFIC to Copart.
- 6. Attached hereto as **Exhibit D** is a true and correct copy of the "Schedule of Locations" that is part of the 2005-2006 insurance policy issued by USFIC to Copart.
- 7. Attached hereto as **Exhibit E** is a true and correct copy of the "Statement of Values" form dated August 8, 2005 from the USFIC underwriting file designating (on the third page of the exhibit underlined by us) Yard 105 with a Miami address.
- 8. Attached hereto as **Exhibit F** is a true and correct copy of the "Endorsement" form that is part of the 2005-2006 insurance policy issued by USFIC to Copart.

I declare under penalty of perjury under the laws of the State of California, United States of America that the foregoing is true and correct, and that this Declaration was executed on July 10, 2008 in San Francisco, California.

Dated: July 10, 2008

/s/ Eric K. Larson

Eric K. Larson